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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
ROSIER-MONTUS et al.

Examiner: **LEFFERS, JR., Gerald G.**

Art Unit: 1636

Application No.: **09/846,456**

Filed: **May 2, 2001**

Title: **REGULATORY NUCLEIC ACID FOR
THE ABC1 GENE, MOLECULES
MODIFYING ITS ACTIVITY AND
THERAPEUTIC USES**

TELEFAX CERTIFICATE

I hereby certify that this correspondence is being
transmitted via facsimile to the Commissioner for
Patents, Alexandria, VA 22313, on

Nov. 17, 2005
Date of Transmission
Diana Coughlin
Signature

**RESPONSE UNDER 37 CFR 1.116 TO OFFICE
COMMUNICATION**

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Communication mailed May 17, 2005 in the above-referenced application, Applicants submit the following response. A Petition for a Three Month Extension of Time and a Notice of Appeal with authorizations for appropriate fees are concurrently submitted.

Amendments to the Claims begin on the page following.

Remarks begin on page 5.

In a telephonic inquiry to seek clarification of the text of the Office Action, Applicants' representative was informed that Ann Sullivan was now assigned to complete examination of the application.